

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST LITIGATION  
(NO. II)**

**Case No. 3:23-MD-3071  
MDL No. 3071**

**Chief Judge Waverly D. Crenshaw, Jr.**

**This Document Relates to:**

3:23-cv-00330	3:23-cv-00380
3:23-cv-00331	3:23-cv-00979
3:23-cv-00332	3:23-cv-00381
3:23-cv-00326	3:23-cv-00387
3:23-cv-00333	3:23-cv-00388
3:23-cv-00334	3:23-cv-00389
3:23-cv-00335	3:23-cv-00390
3:23-cv-00336	3:23-cv-00391
3:23-cv-00337	3:23-cv-00410
3:23-cv-00338	3:23-cv-00411
3:23-cv-00339	3:23-cv-00419
3:23-cv-00344	3:23-cv-00413
3:23-cv-00345	3:23-cv-00412
3:23-cv-00356	3:23-cv-00414
3:23-cv-00357	3:23-cv-00416
3:23-cv-00358	3:23-cv-00415
3:23-cv-00377	3:23-cv-00440
3:23-cv-00378	3:23-cv-00445
3:23-cv-00379	3:23-cv-00552
3:22-cv-01082	3:23-cv-00742

**DECLARATION OF STEPHEN C. WHITTAKER IN SUPPORT OF DEFENDANTS'  
MOTION TO DISMISS MULTIFAMILY PLAINTIFFS' SECOND AMENDED  
CONSOLIDATED CLASS ACTION COMPLAINT**

I, Stephen C. Whittaker, declare as follows:

1. I am an associate in the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys representing Defendant RealPage, Inc. ("RealPage") in the above-captioned case.

I submit this declaration in support of Defendants' Motion to Dismiss Multifamily Plaintiffs' Second Amended Consolidated Class Action Complaint (the "Complaint") (ECF 530). The facts stated in this declaration are based on my personal knowledge, and if called upon as a witness, I would and could testify competently to them.

2. Attached as **Exhibit A** is a true and correct copy of an excerpt from the RealPage document "AI Revenue Management," which is hosted on The Medve Group, Inc., website and is linked to and cited in Plaintiffs' Complaint. See Compl. ¶ 17 & n.19.

3. Attached as **Exhibit B** is a true and correct copy of an excerpt from a transcript of a June 2017 presentation by RealPage at the Stephens Investor Conference. This transcript is available through various sources online, and is cited in Plaintiffs' Complaint. See Compl. ¶ 218 & n.113.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this declaration on October 9, 2023, at Huntington Beach, California.



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Stephen C. Whittaker

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 9, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record registered on the CM/ECF system.

DATED this 9th day of October, 2023.

/s/ Jay Srinivasan

Jay Srinivasan